

Record of Decision
Prairie Project
(Lower Rapid Creek Area)
Environmental Impact Statement

USDA Forest Service
Mystic Ranger District, Black Hills National Forest
Pennington County, South Dakota

Background

The Black Hills National Forest, Mystic Ranger District proposes to implement multiple resource management actions within the Prairie Project Area as guided by the Black Hills National Forest Land and Resource Management Plan as amended; and supported by national policy and initiatives such as the National Fire Plan, the 10-Year Comprehensive Strategy Implementation Plan agreed to by the Western Governor's Association and others, and the President's Healthy Forest Initiative. The Prairie Project Area covers about 29,000 acres of National Forest System land and about 6,300 acres of interspersed private land within the lower Rapid Creek watershed directly west of Rapid City, South Dakota (see Map 1 attached). Resource management actions associated with this decision apply to National Forest System (NFS) lands only and do not include private lands.

The focus of the actions proposed in the Environmental Impact Statement (EIS) is twofold. The first is to aggressively manage vegetation to minimize the potential for large-scale catastrophic wildfires in this wildland urban interface setting. And the second is to resolve inherently complex and conflicting travel and recreation uses in this area by striving to provide a mix of motorized and non-motorized opportunities. Four alternatives have been considered in detail as documented in the EIS. The EIS also discloses the direct, indirect, and cumulative environmental impacts resulting from the proposed action and alternatives.

The action needed is removal of trees and associated fuels in order to break up the continuity of forest vegetation and reduce the unnaturally high concentration of biomass in the Forest. The project area is located in a classic ponderosa pine fire adapted ecosystem that has been managed for multiple-use objectives for decades. As such, vegetation management during this period has emphasized suppression and exclusion of fire to provide sustained timber yield, improve wildlife habitat and achieve other objectives in the area. The project area's wildland-urban interface (WUI) setting is rated as having high fire risk, high hazard, and high value--referred to as the "Red Zone". This situation provides a compelling need to make fuels and fire hazard reduction a primary management goal in the Prairie Project area. Proposed activities also address the need to resolve travel management and recreation use issues particularly focusing on motorized and non-motorized travel.

The Prairie Project has had a lengthy and comprehensive public involvement process. Public participation has been significant. A Notice of Intent to prepare an Environmental Impact

Statement (EIS) was published in the *Federal Register* on July 12, 2002. This was followed by the release of the Draft Environmental Impact Statement (DEIS) on June 6, 2003. The Notice of Availability (NOA) for comment on the DEIS was published in the *Federal Register* on June 13, 2003. The public comment period ran through July 28, 2003. Following this period, a Final Environmental Impact Statement (FEIS) and this Record of Decision (ROD) were prepared.

The Prairie Project Interdisciplinary (ID) Team analyzed the numerous public comments and provided agency responses to the comments on the Draft EIS. These comments and associated responses are located in Appendix A of the Final EIS. No public comments on the Draft EIS generated the need for reanalysis or required major substantive changes to the document. Therefore, it was concluded that completely rewriting the Draft EIS was not necessary. Instead the Final EIS has been prepared to update, correct, and clarify information in the Draft EIS. The Final EIS incorporates the Draft EIS. The Final EIS contains a section of errata changes to the Draft EIS, a listing of public comments on the Draft EIS with associated agency responses, and Appendices containing an updated index and a summary of the project Biological Evaluation and Biological Assessment. The DEIS and FEIS will collectively be considered and referred to as the Prairie Project EIS.

Project Summary

An overview of the issues and alternatives is presented below to give the reader a better understanding of the context of the decision disclosed in this document. A more detailed description of the project can be found in Chapters 1 and 2 of the DEIS.

Issues

Comments received during the public scoping process were used to help define issues, develop alternatives and mitigation measures, and analyze effects. A total of 157 commentors provided feedback via letters, faxes, public meeting transcripts, hand-delivery, or email. Through review and analysis of the scoping comments and input received, the Prairie Project ID Team identified five (5) prevailing or key issues related to the proposed activities (see DEIS, pgs. 14 – 19 and Table 2-1, pg. 44). A brief description of the five key issues follows:

Fuel and Fire Hazard Reduction. Wildfire hazard, the need to reduce fuels, and the potential for catastrophic wildfire are currently of foremost concern with the public and the agency in this area. These issues have understandably been elevated to a higher level of concern with the local public given the massive wildfires that have been experienced recently throughout the West, and certainly within the Black Hills. The prevailing public attitude, and that of local, State, and Federal elected officials, is that the Forest Service should do more to address fire and fuels risks on National Forest System lands. This point of view is supported and amplified at the national level through a series of initiatives and streamlining of processes related to fuel and fire hazard reduction.

The fuel and fire hazard reduction issue is the major focus of the Prairie Project. The importance of addressing this issue is magnified by the fact that the project area is located in a wildland

urban interface setting that contains several communities at risk (CARs). Furthermore, this entire project area lies within a heavily forested ponderosa pine fire-adapted ecosystem.

Prescribed Fire. Prescribed fire can be an effective tool to reduce fuels and enhance wildlife habitat. The public generally supports the use of prescribed burning, but some have concerns about the threat of an escaped fire, especially within this populated wildland urban interface area. Also, the Agency is always concerned about controlling the timing and amount of smoke from prescribed fire to limit potential health effects and nuisance caused by the smoke.

Travel and Recreation Use. This issue is largely focused on recreational opportunities for motorized on and off-road travel and use. The issue has a wider divergence of strongly held opinion than any of the other key issues. It was made very evident during the public involvement phase of this project that public desires regarding their recreation and travel use of the project area are diverse and often in conflict. A large number of commentors want to have motorized travel access both on and off-road throughout the majority of the project area. Many of these commentors feel that motorized travel access is an important part of their recreation experience and it is why they enjoy living and recreating in the Black Hills. Many others, however, want more areas limited to non-motorized use only. Those that support this position desire a quieter, more natural setting where they can hike, ride mountain bikes, or enjoy walk-in hunting or fishing. Some also feel that there is excessive rutting, littering, disturbance to wildlife habitat and other negative effects associated with wide scale off-road motorized use by ATV's and 4-wheel drive vehicles.

Wildlife Habitat. This issue did not receive the wide scale of public scoping comments as some other key issues. To some respondents, however, wildlife habitat related issues are an important concern. This includes providing for big game (deer and elk) winter range forage and security needs within Management Area 5.4, protecting and expanding hardwoods, eliminating pine encroachment from meadows, protecting late successional (older trees) habitat, and providing for a variety of habitats and associated species. In general, there is public support for wildlife habitat even though many did not list this as a key concern. There is a conflict, however, related to the tradeoff between public motorized use and wildlife habitat security. Some expressed a strong need to limit motorized use in order to reduce negative effects on big game and other wildlife species. Others feel strongly that motorized use should not be limited and do not necessarily agree that such use negatively affects wildlife.

Socio-economic Concerns. The project area lies within the wildland-urban interface and contains five communities at risk. The many people who live within and adjacent to the project area strongly value its forested setting and the experiences and lifestyle associated with this environment. People are concerned about property values and their health and safety as related to the potential threat of catastrophic large-scale wildfire in this area. There was a remarkable expression of urgency and expectation by local residents and groups during the public involvement period. They clearly felt that the agency should act quickly and do something significant and effective to safeguard their well-being and the surrounding resource amenities from the potential impacts of catastrophic wildfire.

The local public strongly supports using multiple management tools (including commercial timber harvest) to reduce the potential for large-scale wildfire. Generally, this support is based on the belief that commercial harvest utilizes a renewable resource and provides a needed commodity, employs local residents, adds favorably to the local and State economy, is environmentally acceptable, and can make a significant difference in effectively reducing wildfire potential. It was also evident from public feedback that some recognize that commercial harvest provides revenues to help accomplish non-commercial fuels reduction activities.

There is also a view that prefers either no active management, or the use of prescribed burning as the only fuels reduction tool. Generally, support for this approach is based on a belief that commercial timber harvest has negative environmental effects, could actually increase wildfire potential, and is not warranted from an economic perspective.

Alternatives Considered

In making the decision, four alternatives were considered, which are briefly discussed below. A more detailed comparison of all the alternatives can be found in Chapter 2 of the DEIS.

Alternative A (No Action)--The National Environmental Policy Act (NEPA) requires the study of the no action alternative, and to use it as a basis for comparing the effects of the proposed action and other alternatives. Current management plans would continue to guide management of the project area. This alternative assumes no implementation of any elements of the proposed action or other action alternatives. The no action alternative represents no attempt to actively respond to the Prairie Project purpose and need for action or the issues raised during scoping for this project. For example, there would be no effort to modify existing vegetation or related fuels and habitat conditions in the project area. However, such things as ongoing Forest protection efforts (e.g. wildfire suppression) and recurring road maintenance on system roads would continue as directed by the Forest Plan. See Tables 1 and 2 for a comparison of alternatives in terms of outputs and effects relative to the key issues.

Alternative B--This alternative emphasizes a non-commercial vegetation treatment approach to address the purpose and need--which is keyed to fuels and fire hazard reduction. Alternative B was developed in response to the view expressed by some during scoping that fuels and fire hazard reduction objectives can be accomplished with limited or no use of commercial timber harvest. Commercial timber harvest would be applied on a limited number of acres--primarily in accessible fuel breaks around some private lands. The alternative emphasizes extensive use of prescribed fire and non-commercial thinning in lieu of using commercial timber harvest to address fuels and fire hazard reduction needs. Vegetation treatment under this alternative would require amending the Forest Plan relative to effects on wildlife habitat (goshawk and late successional habitat). Furthermore, this alternative addresses the desire by some individuals and groups that feel non-motorized recreational use and travel should be emphasized in the project area. See Tables 1 and 2 for a comparison of alternatives in terms of outputs and effects relative to the key issues.

Alternative C (Proposed Action)--Alternative C was developed in response to the purpose and need (which emphasizes fuels and fire hazard reduction) and embodies the treatment activities that comprise the proposed action. This alternative aggressively treats forest vegetation to reduce the fuels and fire hazard that currently exists in the project area. This action has been developed and refined in response to recent national direction that supports efforts to reduce the potential for catastrophic wildfire in fire-adapted ecosystems (e.g., ponderosa pine) particularly near communities at risk and in the wildland-urban interface. The Prairie Project Area fits that description and condition. This alternative recognizes that because the project area includes communities at risk to catastrophic wildfire, an aggressive approach using multiple vegetation management tools (including commercial timber harvest) is needed to reduce fuels and fire hazard. The scope of vegetation treatment under this alternative would require site-specific amendment of the Forest Plan specifically related to effects on wildlife habitat. Alternative C responds to the broad spectrum of recreation related uses associated with the modes of travel that people prefer within the Prairie Project Area. This alternative provides a range of recreation and travel related opportunities by establishing “core use” areas. See Tables 1 and 2 for a comparison of alternatives in terms of outputs and effects relative to the key issues.

Alternative D--This alternative emphasizes reduction of fuels and fire hazard as well as management of other resource needs within the scope and direction of the Forest Plan. The alternative is designed to address the purpose and need along with wildlife habitat improvement and commodity production in accordance with Forest Plan Standards and Guidelines. Multiple vegetation management tools would be used to implement this alternative. Vegetation treatment would be done at a level guided by the Forest Plan. No prescribed broadcast burning is planned for in this alternative. Fuels reduction and maintenance would be accomplished through mechanical means. Landscape size fuel breaks are not specifically planned. Current Forest Plan Standards and Guidelines would guide recreation and travel use. See Tables 1 and 2 for a comparison of alternatives in terms of outputs and effects relative to the key issues.

Decision

This Record of Decision documents my decision and reasons for the decision with respect to the Prairie Project alternatives as presented in the Prairie EIS. The Prairie Project purpose and need provides the focus and scope for the proposed action and alternatives as related to Forest and national level policy and direction (DEIS, Chapter 1). Given this purpose and need, I have reviewed the proposed action (Alternative C), the issues identified during the public involvement process, the alternatives, and the environmental consequences of implementing the proposed action and alternatives disclosed in the EIS. Furthermore, I have carefully considered the substantial number of public comments received on the Draft EIS. These comments were invaluable to me in weighing management options. Public feedback, the analysis disclosed in the EIS, information contained in the project record, and management direction and policy considerations contributed collectively to determining the selected action. Based on this review, **I have decided to implement Alternative C with some modifications.**

This Record of Decision modifies Alternative C, as initially described in the Draft EIS, to address certain concerns relating to vegetation treatment and travel management. Modifications to Alternative C are relatively minor in scope, and fall within the range of alternatives analyzed and associated effects disclosed in the EIS. I believe the information contained within the analysis is sufficient to understand the effects of implementing the Selected Action—Alternative C-Modified.

Modifications to Alternative C

Modifications include deferring some vegetation treatments, dropping some vegetation treatments, and changing some road and off-road management strategy. More specifically, these modifications include the following:

- Deferral of vegetation treatment on specific sites (276 acres) in response to goshawk habitat management standards and guidelines. The decision will be deferred until interim management direction for goshawk, under the Phase I Amendment to the Forest Plan, is supported or replaced with new direction from the ongoing Phase II Amendment process. A decision on the Phase II Amendment is expected in the summer of 2004. Deferral of treatment precludes the need to amend the Forest Plan regarding this activity (see discussion in the DEIS, under Alternative C, page 28).
- Deferral of patch cutting for bighorn sheep in Management Area (MA) 3.7 (41 acres) to facilitate further site selection study and analysis in collaboration with South Dakota Department of Game, Fish and Parks (SDGF&P).
- Dropping commercial and non-commercial vegetation treatment of specific sites (100 acres) in MA 3.7 determined not to be critically necessary to achieving fuels and fire hazard reduction objectives.
- Establishing a seasonal area closure during winter-spring (Dec. 15 – May 15) that applies to MA 5.4 north of Highway 44 and east of the Norris Peak road. A loop road from Shanks Gulch through to Wild Irishman draw will be designated open during this winter-spring time period. This change is in response to comments from SDGF&P to provide for winter-spring closures in the big game winter range area.
- Addition of two short existing road segments (1.2 miles) to be open seasonally within the yearlong area closure north of Sheridan Lake Road. These designated routes will be open to motorized use during the summer-fall and closed to motorized use during the winter-spring.
- Modification of proposed treatment of a portion of a site that contributes to big game screening cover. Specifically, within this site (091803-14) along FSR 159 (estimated 0.4 miles) no treatment will be implemented within existing screening cover. Screening cover criteria will be considered analogous to hiding cover as defined in the Forest Plan for purposes of implementation. Not treating this screening cover corridor is a change to Alternative C and as such is part of the modification contained in the Selected Action. By not treating the screening cover amending the Forest Plan regarding this issue is unnecessary.

Vegetation Treatment

Vegetation treatment in the Selected Action is characterized by a number of specific treatment activities (see activities listed in Table 1). This includes commercial timber harvest (estimated 8,552 acres), which thins the forest to provide landscape-wide fuel breaks. Harvest will focus on thinning from below (thinning the smaller trees) and retaining larger sized trees on the landscape. There will be considerable non-commercial thinning (estimated 8,251 acres), also driven by fuel break objectives. Natural fuel breaks such as meadows and hardwoods will be treated to enhance their ability to moderate wildfire and concurrently maintain wildlife habitat. Landscape scale mechanically thinned fuel breaks will be supplemented by fuel breaks developed immediately adjacent to private lands (estimated 650 acres, minimum of 200 feet in width). Once thinning is completed, maintenance activities will be required in places over time to limit the densities of new trees that are regenerated in the area. Pine tree regeneration in the Black Hills is prolific and requires ongoing maintenance to control the amount and location of new trees. Maintenance activities will consist of removing new trees using mechanical methods or through prescribed burning. Other methods may also be pursued if determined appropriate and effective.

The overall objective for fuel break development and maintenance is to break up the continuity of the pine forest and reduce the unnaturally high concentrations of biomass present in the Prairie Project Area. This in turn serves to minimize the wildfire threat to human life/safety, private property and the natural environment. Considerable prescribed burning (4,224 acres) to reduce fuels and enhance natural and mechanically constructed fuel breaks is planned in the selected alternative. Prescribed burning also helps maintain decreased vegetation and fuel densities. Areas of dense stands will remain on the landscape primarily as a benefit to some wildlife species--but they will be separated by fuel breaks.

Cooperation and Education

An important element of the Selected Action is the reemphasis of the need and effort to ensure continued and close collaboration with local entities such as volunteer fire departments, South Dakota Division of Wildland Fire Suppression, Pennington County Fire Coordinator, subdivision representatives and landowners in order to successfully implement the Selected Action. This includes working cooperatively to educate landowners about proper construction materials and fuels management on private lands, economic and technical support for fuels and fire hazard reduction on private lands, and improvement of existing evacuation plans. This cooperative effort is a recognition that fuels/fire hazard reduction within the wildland urban interface must include private as well as public lands in order to be successful.

Travel and Recreation Use

Alternative C was developed and refined in response to the issues and public comments regarding conflicting travel and recreation uses in the project area. The Selected Action addresses the broad spectrum of recreation related uses and associated travel that people prefer within the Prairie Project Area. It provides a range of recreation and travel choices by

establishing “core use” areas. These use areas are characterized by three basic travel and recreation use opportunities (see Map 4 attached):

- Open year-round with on and off-road motorized use emphasis in the northwestern portion of the project area (generally north of Highway 44 and west of Norris Peak Road).
- Closed year-round to off-road motorized use (travel on designated routes only) with non-motorized use emphasis in the central portion of the project area along the Rapid Creek corridor.
- Seasonal area closure to off-road motorized use during the winter-spring (December 15 – May 15), with some designated roads open during this time period. This applies to the southern portion of Project Area and the area north of Highway 44 and east of Norris Peak Road. This seasonal area closure is managed to provide for big game winter range. Most roads are open and the area is open to off-road motorized use during the summer-fall (May 15 – December 15).

The Selected Action includes working cooperatively with groups and individuals to develop motorized and non-motorized trail systems. It will result in expanded opportunities for all users and will focus motorized use on designated routes rather than cross-country travel. The Selected Action will require preparation prior to implementing changes to current management. This includes development of maps, public education regarding new travel regulations for the area, and signing routes and areas on the ground.

Table 1 compares the treatment activities by alternative (including the Selected Action, Alternative C-Modified) in the Prairie Project Area. The outputs and areas given are estimates. The maps attached to this ROD display the location of vegetation treatments, fuels reduction and prescribed fire activities, as well as travel and recreation use management. Design criteria, mitigation and monitoring specific to the Selected Action are described in DEIS Appendix B and C.

Table 1. Treatment Activities by Alternative.

Treatment (acres)	A	B	C	C Mod	D
Fuels & Vegetation Treatment (Non-Commercial)					
Fuel Break Thinning along private land and roads	0	553	692	650	505
Special Thinning (Pactola Work Center)	0	6	6	6	6
Landscape Area Thinning	0	4,715	6,033	5,849	3,960
Hardwood Retention/Restoration (Pine Removal)	0	919	959	959	926
Meadow Retention/Restoration (Pine Removal)	0	680	779	743	680
Patch Cutting for wildlife habitat (Bighorn sheep)	0	85	85	44	44
Total	0	6,958	8,554	8,251	6,121
Fuels & Vegetation Treatment (Commercial)					
Fuel Break Thinning along private land and roads	0	346	485	443	366
Special Thinning (Pactola Work Center)	0	6	6	6	6
Landscape Area Thinning	0	0	6,981	6,759	2,041
Overstory Removal	0	0	602	598	972
Hardwood Retention/Restoration (Pine Removal)	0	0	480	480	446
Meadow Retention/Restoration (Pine Removal)	0	0	258	222	211
Patch Cutting for wildlife habitat (Bighorn sheep)	0	0	76	44	44
Total	0	352	8,888	8,552	4,086
Total Area Treated (Not additive due to some overlap in treatment area)	0	6,958	11,881	11,463	7,112
Volume Removed					
Sawtimber MBF	0	1,312	30,435	28,600	10,424
Sawtimber CCF	0	2,600	60,048	56,100	21,726
Products (posts and poles) CCF	0	476	14,133	13,500	5,566
Other Fuels Treatment					
Prescribed Burning	0	7,502	4,224	4,224	0
Storm Damage Cleanup	0	965	965	965	965
Road Work (miles)					
New Road Construction	0	0	3	3	1
Road reconstruction	0	7	23	23	18
Road maintenance	0	11	45	45	42
Roads decommissioned	38	59	50	50	55

NOTE: Figures are approximate.

MA 3.7 (tree thinning) - Landscape scale tree thinning is planned in Management Area 3.7 to meet the need for fuels and fire hazard reduction. Also, fuel break construction is planned adjacent to private land and along private access corridors through MA 3.7. Such vegetative treatment is not considered consistent with Forest Plan Guideline 3.7-2103 that states, “Timber harvest may be used if necessary to move stands toward late successional conditions.”

Based on further analysis, I have decided to drop treatment of some sites (approximately 141 acres) that are not critical to meeting fuels and fire hazard reduction objectives. Treating the remaining sites is necessary to meet objectives and, therefore, **amending the Forest Plan is needed** in this case. Treatment will emphasize thinning from below, fuel cleanup, leaving the

larger/taller trees, and on some sites prescribed burning on the forest floor. Not treating some sites is a change to Alternative C and, as such, is part of the modification contained in the Selected Action.

MA 3.7 (travel management adjustment) - The Selected Action (Alternative C-Modified) will place a portion of MA 3.7 (approximately 600 acres) within an area open to off-road motorized use during the summer-fall. This is inconsistent with Forest Plan direction contained within the Phase I Amendment, which prohibits off-road motorized travel in Management Area 3.7.

Travel management for the Selected Action is based on well-defined boundaries, such as roads that can be clearly identified and signed on the ground. The affected portion of MA 3.7 does not follow any clearly defined topographic or other identifiable boundaries. It also does not receive much, if any, off-road use now despite the fact that it is currently open to such use. This is because the area is generally quite steep and rocky and not well suited to off-road motorized use. This travel management direction within MA 3.7 is necessary to meet travel and recreation use objectives. Thus, **amending the Forest Plan is needed** in this case. Discussion of this situation is provided under Rationale for Selected Action below.

Thermal Cover - Vegetation treatment of some thermal cover in MA 5.4 is planned. The MA 5.4 portion of the project area does not currently meet thermal cover Objective 5.4-205 and thus treating thermal cover is inconsistent with thermal cover Guideline 5.4-2101. Thinning stands considered as thermal cover is needed to accomplish the fuels/fire hazard reduction objectives in this alternative.

Thinning some thermal cover sites (approximately 121 acres) is considered critically necessary for landscape level fuel breaks needed to reduce the potential for catastrophic crown fires.

Amending the Forest Plan is needed in this case. Treatment will emphasize thinning from below, fuel cleanup, leaving the larger/taller trees and on some sites prescribed burning on the forest floor.

Rationale for Selected Action

Alternative C, as modified, is my Selected Action because it best meets the purpose and need for action, as determined by management direction and conditions on the ground; and it responds very well to the issues and public comments. There are two main aspects to my decision—actions affecting **fuels and fire hazard reduction** and those associated with **travel and recreation use**. For clarity, these two action areas are discussed separately.

Fuels and Fire Hazard Reduction

Purpose and Need - As stated in the in the DEIS, there is a need to reduce the potential for large-scale intense wildfire and to reduce fuel loads. Recent events have dramatically demonstrated the need to reduce the potential for catastrophic wildfire within this area. The past several years have witnessed a series of wildfires within the Black Hills. These have been intense, fast moving fires that raced for miles through the tree crowns and, in places, consumed all the vegetation and

some homes along its path. Residents have been evacuated, firefighters and the public placed at risk, natural resources have been negatively impacted, and substantial economic loss resulted due to these fires.

Alternative C-Modified responds well to the purpose and need. It takes a landscape approach to fuel and fire hazard reduction; aggressively thins pine trees and removes biomass; maintains and expands hardwoods and meadows; and includes prescribed burning to reduce fuels and improve wildlife habitat.

Management Direction (National and Forest Plan) - The National Fire Plan with its associated strategies and agreements directs Federal agencies to reduce fuels and associated fire hazards within the wildland-urban interface, communities at risk, and other areas on public lands (see pages 6 and 7 in the DEIS). The Black Hills in general, and the Project Area in particular, is within a fire-adapted ponderosa pine ecosystem. Fire suppression and some management practices over the past century have changed vegetation patterns and created an explosive fire hazard condition within the Project Area. Alternative C-Modified responds well to National direction in reducing the potential for large-scale crown fires.

The Forest Plan, as revised in 1997 and amended in 2001, contains many goals and objectives that cannot be met in areas affected by large-scale crown fires. It is clear that Forest Plan goals and objectives related to soil, air, watershed, cave resources, wildlife habitat, scenic resources, and recreational opportunities can be negatively affected by large crown fires. The preceding section presented information on site-specific Forest Plan Amendments that will be needed to implement the Selected Action. Forest planning regulations envision the need to make amendments based on site-specific analysis and provides a process for this (36 CFR 219.10(f); FSH 1909.12, Section 5). In this case, I have determined that trade-offs are necessary to meet the purpose and need. This includes treating some sites within MA 3.7 and thinning some dense areas that may provide thermal cover for big game.

It is important to be clear on exactly what the conditions are within MA 3.7 and what is being proposed for treatments. The sites to be treated within MA 3.7 consist of a mix of tree sizes and ages, most of which are dominated by densely crowded smaller trees with a scattering of larger trees (Prairie Project file). These are not stands of “old growth” trees. The condition of these stands is partly the result of fire exclusion that has allowed them to grow into this dense state. We have carefully reviewed each of the sites proposed for treatment under Alternative C and decided to drop some stands in the Selected Alternative because they were not critical to meeting the purpose and need. Only those stands deemed necessary to reduce the wildfire potential will be treated under the Selected Action. The stands will be thinned in a way that protects the larger trees. No trees greater than 16 inches in diameter will be removed within MA 3.7. Only smaller trees will be removed—these trees often compete with the larger trees for nutrients and water, and act as fuel ladders carrying wildfire into the crowns of the larger sized trees. I believe these treatments are necessary to meet the purpose and need and will have minor negative effects on late successional habitat (DEIS pages 113-116; Prairie Project file).

I feel similarly about thermal cover stands that are proposed for treatment. There is debate within the professional community about the relative value of thermal cover for big game versus

other habitat components (DEIS pages 160-162). Based on input from South Dakota Department of Game, Fish and Parks and from Forest Service biologists, thinning these dense stands will have little negative effect on big game populations (SDGF&P, September 2003). Treating these stands is a necessary trade-off to meeting fire and fuels objectives (DEIS page 115). For the above reasons, I believe the Selected Action responds well to the Forest Plan, despite the need for site-specific amendment of the Forest Plan.

Issues - There were five key issues developed from both internal and external scoping for the Project. Table 2 provides a comparative display of the alternative effects and/or outputs relative to the key issues in the Prairie Project Area. Alternative C-Modified responds well to each of these issues. Aside from Alternative C, as originally presented in the DEIS, Alternative C-Modified best meets the need to thin trees, remove biomass and reduce the potential for catastrophic wildfire. It does a better job than Alternatives B and D at lowering the Crown Fire Hazard Rating, both short and longer term; and reduces fuels over a larger area as compared to the other alternatives. The Selected Action includes the use of prescribed fire at a safe, judicious level. It focuses on moderate complexity burns, avoiding the high complexity areas that pose a higher risk of escape in the urban interface setting (see DEIS Fire and Fuels section, pages 102-122; Prairie Project file). Alternative C-Modified reduces overall road mileage—benefiting wildlife and some recreation users—but provides adequate motorized access for fire suppression purposes. It also provides the best open canopy habitat for various wildlife species, does better than other alternatives at maintaining and expanding important aspen/oak/meadow communities, and improves riparian, water quality, and fisheries habitat (see DEIS Wildlife Habitat section, pages 129-173). Effects to management indicator species and species designated as sensitive by the Regional Forester have been considered. I considered information in the EIS and elsewhere in the project record concerning fish, wildlife and plant species in making my decision. The Selected Action also has benefits from a socio-economic perspective. It generates substantial funding from the commercial products removed for fuels reduction. I want to be clear, however, that although economics are always an important consideration, the main focus is to reduce the potential for catastrophic wildfire. The revenue gained from commercial products is important because it helps fund the substantial amount of non-commercial thinning and prescribed burning needed, as well as other project activities. This better insures that these needed activities will actually be completed (DEIS pages 217-219).

Public Response to DEIS - The vast majority of local residents and area users want to see an aggressive approach to reducing fuels and associated wildfire hazards. This is also true of local governments, volunteer fire departments, and State agencies. Their concerns include protecting human life and property, conserving the natural environment and maintaining the economic well being of the area. These concerns were made clear during the public scoping process and in the comments we received on the DEIS. These comments were a very important consideration in my decision to implement Alternative C, as modified.

Almost all respondents to the DEIS favored the vegetative management/fire hazard reduction proposal contained in Alternative C. For some, concern was expressed that we need to move quickly in completing this work. Some were concerned that we were not proposing to conduct thinning in areas where they believed treatment was needed.

A minority of respondents were opposed to Alternative C's fire hazard reduction proposal, favoring either No Action (Alternative A) or the non-commercial approach proposed in Alternative B. Some of the concerns expressed by these respondents include: 1) past timber harvest has not stopped wildfires from burning through managed areas on the Black Hills National Forest, so there is no reason to expect the results from this proposal would be any different; 2) there is no research or other evidence that thinning pine trees affects wildfire behavior; and 3) all that is needed is to thin immediately adjacent or close to communities to protect homes and other structures.

In response to these concerns, it should be noted that past timber management activities on the Black Hills have been conscious of fuels reduction goals but generally have not been focused on reducing the potential for high intensity crown fires. The Selected Action is different from these past practices in a number of ways. It strategically thins trees on a landscape basis to minimize the risk of large crown fires; it removes biomass and cleans up the existing and activity fuels to a much greater degree than past timber management activities; it focuses more on smaller diameter trees than ever before; and it prescribes a lower density of trees available to fuel crown fires than past approaches. Although research on the topic of wildfire behavior in various ecosystems is increasing, there is ample evidence that thinning, when properly conducted, does reduce wildfire intensity and severity, particularly within fire adapted ponderosa pine ecosystems (see DEIS page 102, and Prairie Project file). We agree with those who advocate that managing fuels within 200 feet of structures is one important way to protect these structures. Although protecting homes is very important, the project's intent is also to minimize risk to firefighters and the public, and to limit effects on vegetation, wildlife, soils, water, air, and scenic resources. Additionally, from a resident's perspective, saving the house when the forest vegetation surrounding it has burned down still results in a significant economic, emotional, and aesthetic effect. As a final point on vegetation treatment, I want to be clear that the Selected Action is not designed to stop wildfires. The fact is wildfires will burn in this area no matter which actions the Agency takes. But I believe the project record and experience indicates that the intensity and severity of wildfires—and the potential for large scale crown fires—will be greatly reduced under the Selected Action.

Travel and Recreation Use

Purpose and Need - As stated in the DEIS, there is a need to ensure access for fire suppression/protection, to provide for a variety of motorized and non-motorized uses and travel opportunities, and to resolve inherently complex and conflicting travel and recreation use issues. While the vast majority of motorized users are careful to protect the environment and limit their effects on the landscape and to other users, the sad fact is that many abuse the area. There is a growing desire among non-motorized users that some areas be restricted from motorized use in order to provide walk-in hunting opportunities, provide for quiet areas away from the noise of engines, or to use non-motorized trails without the widening and sometimes damaging effect of ATV or other motorized vehicle use.

Alternative C-Modified responds well to the purpose and need. It maintains adequate access for fire suppression. It provides additional opportunities for non-motorized users free from the sound and effects of motorized use. It provides opportunities for both motorized and non-

motorized users to develop trail systems within the Project Area. It eliminates some user created roads and the associated effects to soil, water, vegetation and wildlife resources. The majority of the area will be open to cross-country motorized use during the summer-fall time period. Although most of the area will be restricted from cross-country motorized use during the winter-spring to protect wildlife habitat, there will still be ample road and trail access during that time.

Management Direction – The 1997 Forest Plan (Revision) included guidelines for travel management based on management areas. These guidelines were suggested, not required direction. The 2001 Phase 1 Amendment of the Forest Plan, made a changes to a number of guidelines in the Plan, changing them to standards until the ongoing Phase 2 Amendment analysis could be completed. Included in this Phase 1 Amendment direction is the standard that restricts off-road motorized use from occurring within MA 3.7.

Alternative C-Modified amends the Revised Forest Plan for a small area of MA 3.7 (about 600 acres) that will be open to cross-country motorized use. MA 3.7 is managed for late successional habitat. I acknowledge the administrative need for amending the Forest Plan to allow cross-country motorized use within this management area, but believe the actual effect to the habitat is minimal (Prairie Project file). The specific area in question is steep, rocky, nearly inaccessible country along the Prairie Creek canyon. It currently is open to cross-country motorized use but receives little to no use because of the steep terrain. The management area boundary does not follow any easily defined or discernable boundary feature, such as the top of a ridge, a stream course, or a road or trail. It cuts across the landscape in a way that is nearly impossible to mark on the ground or define for the public. For this reason, it is not a manageable boundary for travel management purposes. It is critical that travel management boundaries be clearly defined on maps and on the ground so the public can understand and follow the travel regulations and the Forest Service can enforce them. Careful attention was paid in developing easily defined boundaries for Alternative C-Modified. These boundaries are based almost entirely on roads, where one side of the road will be open to cross-country motorized use and the other side will not. Again, although a site-specific Forest Plan Amendment is needed for MA 3.7, the actual effect on the resource is very limited. This decision should not affect the late successional habitat in this area.

Issues – Issues and associated measurement indicators for travel and recreation management include total miles of roads and motorized trails, miles of road and motorized trails open to public use by season, percent area open to cross-country motorized use per season, and miles of non-motorized trails. Total road miles and road miles open per season are reduced under the Selected Action as compared to the No Action Alternative. The Selected Action increases the area available for walk-in hunting and other non-motorized uses. It also increases the amount of non-motorized trails in the area. These actions are needed to better balance motorized and non-motorized use in this urban interface area. See Table 2 for a comparison of effects by alternative.

Public Response to DEIS – Travel and recreation use is the most contentious issue related to this project. Scoping comments and responses to the DEIS indicated widely divergent and strongly held views. Although most respondents generally supported the travel management direction in Alternative C, there were many others that either wanted to see no additional restrictions on

motorized use (Alternative A) or wanted to see much stronger restrictions put in place (Alternative B). There was little or no support expressed for Alternative D, the Forest Plan alternative. I believe there is a need for change in travel management in this area. The main area of concurrence among most respondents, as related to Alternative C, was a desire to see trail systems developed for both motorized and non-motorized use. Most respondents thought this was a good idea. It should be understood that development of trail systems requires cooperation and support from local groups to construct, maintain, and to help with enforcement.

The main issue from comments received concern the amount of roads and areas open to or restricted from motorized use. A number of respondents do not want to see any additional restrictions on motorized use. Many believe that both motorized and non-motorized use can co-exist and that limiting motorized use is providing a special privilege to non-motorized users. Some feel very strongly that eliminating cross-country motorized use would totally eliminate their use and enjoyment of the land. This is especially true of a hardy group of dirt bikers who enjoy adlibbing (cross-country) single-track use. Most of these users are caring, concerned recreationists who treat the land and other users responsibly. Finally, some users who don't want to see changes are concerned about longer term plans to restrict motorized use on public lands. They cite other areas that have already restricted such use, or to continuing decisions on the Black Hills that include additional restrictions. Addressing each of these concerns will help explain my rationale for the decision of selecting Alternative C, as modified.

The Black Hills is among the most accessible national forests in the country. There are many places to ride and no matter where restrictions exist they are bound to affect someone's favorite area. I understand some users not wanting to see additional restrictions placed on their use, but the project record and my own observations indicate that there are resource problems and user conflicts that necessitate some changes. It is true that many areas around the country and within the Black Hills are getting more restrictive. This is partly in response to increased population and recreation use, and the explosive increase in ATV and 4x4 sales. These are reasonable concerns and I expect to see increased restrictions over time in the Black Hills. I believe the best solution to this issue is to work with groups and individuals to develop and maintain motorized and non-motorized trail systems. The more that users stick to designated trails, the fewer conflicts and less resource damage results. Cross-country travel is acceptable when the use is occasional, but repeated travel on the same route results in new user-created roads and trails. Often these user-created routes are in poor locations and cause resource damage and user conflicts. For these reasons, it simply is not acceptable to allow individuals to create new roads and trails on National Forest System lands wherever they want them.

I also understand the concern by some that motorized restrictions provide special rights to non-motorized users, although I do not agree with this sentiment. While many areas are suitable for shared use, the fact is that motorized vehicles do have unique effects that spoil the enjoyment of the Forest for many users. This includes noise and the increased surface disturbance and ability to pioneer new cross-country routes that are unique to motorized vehicles. An issue I have paid particular attention to is a suggestion by some that dirt bikers be allowed to adlib (travel cross-country) because their effects are negligible compared to other vehicles. While I do agree that occasional and dispersed adlibbing of dirt bikes has limited or negligible effects, it simply is not

practical to exempt dirt bikes from cross-country restrictions that apply to other motorized users. The noise and associated disturbance to non-motorized users remains an issue.

Those respondents who favor Alternative B or modifications to Alternative C that would include additional restrictions make several points. First is a recreation related issue, and includes the belief that the Black Hills in general, and the Project area specifically, is biased towards motorized use. They would like to see additional areas where they can enjoy non-motorized uses such as hiking, biking, walk-in hunting and general use without hearing the sounds of ATV and other engines, or simply being free of the direct and indirect effects of motorized use. Additional concerns about motorized access were expressed most forcefully by SDGF&P. These concerns focused largely on wildlife habitat needs and preferences from some hunters to have more walk-in hunting areas. SDGF&P expressed concern that too many roads and areas are open to motorized travel. They favor the travel management strategy contained in Alternative B. Comments received from SDGF&P played a major role in my decision to change the travel management strategy for MA 5.4 within the project area as proposed under Alternative C in the DEIS. SDGF&P worked closely with the Forest Service during development of the Forest Plan revision that designated the area north of Highway 44 and east of the Norris Peak Road as MA 5.4, Big Game Winter Range. I found their comments persuasive regarding the need to manage this area for big game winter range as suggested by the Forest Plan. I also believe that the changes made in the Selected Action clearly move in a direction that provides for additional non-motorized use in this area.

Table 2. Comparative display of the alternative effects and/or outputs relative to the key issues in the Prairie Project Area.

	Alt A	Alt B	Alt C	Alt C Mod	Alt D
Fire Hazard and Fuels Reduction					
<i>Issue Measurement Indicators</i>					
Crown Fire Hazard - Low (acres)	11,002	13,813	19,169	18,882	13,542
Crown Fire Hazard - Moderate (acres)	7,211	7,771	4,746	4,920	6,892
Crown Fire Hazard - High (acres)	10,783	7,441	5,109	5,222	8,590
Vegetation Treatment (acres)	0	6,958	11,881	11,463	7,112
Fuel Breaks - constructed (miles)	0	23	29	29	21
Fuels Breaks - hardwoods/meadows (acres)	0	1,599	1,738	1,738	1,606
Storm Damage Treatment (acres)	0	965	965	965	965
Prescribed Burning (acres)	0	7,502	4,224	4,224	0
Accessibility for Fire Suppression (road miles)	292	206	233	234	230
Prescribed Fire					
<i>Issue Measurement Indicators</i>					
Burn Complexity—Moderate (acres)	NA	2,020	4,224	4,224	NA
Burn Complexity—High (acres)	NA	5,482	0	0	NA
Prescribed Burn Area (acres)	0	7,502	4,224	4,224	0
Burn Days Required (days)	None	40-45	20-25	20-25	None
Travel Management					
<i>Issue Measurement Indicators</i>					
Total Miles of Roads and Motorized Trails	292	206	233	234	230
Miles of Roads and Motorized Trails Open Winter-Spring (Dec 15-May 15) to Motorized Use	174	130	168	137	133
Miles of Roads and Motorized Trails Open Summer-Fall (May 15-Dec 15) to Motorized Use	219	130	187	188	192
Percent of the Area Open Winter-Spring (Dec 15-May 15) to Off-Rd Motorized Use	76%	18%	28%	14%	18%
Percent of the Area Open Summer-Fall (May 15-Dec 15) to Off-Rd Motorized Use	76%	18%	62%	62%	85%
Miles of Non-Motorized Trails	11	49	33	33	20
Wildlife Habitat					
<i>Issue Measurement Indicators (Poor – Best)</i>					
Pine Structural Diversity					
Closed Canopy	Best	Better	Poor	Poor	Good
Open Canopy	Fair	Better	Best	Best	Good
Late Successional	Best	Good	Fair	Fr/Gd	Better
Aspen/Oak/Meadow Communities	Fair	Good	Best	Best	Better
Riparian Area Condition	Fair	Better	Better	Better	Better
Water Quality	Fair	Better	Better	Better	Better
In-stream Fisheries Habitat	Fair	Better	Better	Better	Better
Snag Conditions	Good	Best	Better	Better	Fair
Dead and Down Woody Material	Best	Better	Fair	Fair	Good
Open Road Density	Poor	Best	Good	Gd/Btr	Better

	Alt A	Alt B	Alt C	Alt C Mod	Alt D
Socio-Economic Factors					
Issue Measurement Indicators					
Total Cost (million)	NA	-\$5.3	-\$7.0	-\$6.7	-\$3.0
Total Revenues (million)	NA	\$0.2	\$5.1	\$4.8	\$1.9
Cost-Benefit Ratio	NA	.04	.74	.71	.61
Funding Certainty (Low to High)	NA	Low	Mod-High	Mod-High	High
Volume Harvested - sawtimber (CCF)	0	2,600	60,048	56,100	21,726
Products - poletimber (CCF)	0	476	14,133	13,500	5,566
Cooperative effort with groups and individuals regarding fire/fuels hazard reduction	Good	Better	Better	Better	Better
Wildfire Hazard Reduction (Effectiveness of contribution to safeguarding the health, values and lifestyle of local residents and Forest users by reducing wildfire hazard.)	Least	Moderate	Most	Most	Moderate

NOTE: Figures are approximate.

Reasons for Not Selecting Other Alternatives

I did not select Alternative A because it did not meet the purpose and need for action. Alternative A—the No Action Alternative—increases the risk for catastrophic wildfire with the resulting potential effects to life, property and natural resources. It does not meet Forest Plan direction nor does it respond to the National Fire Plan and associated policy and agreements. Alternative A is not responsive to needed changes in travel management direction. It does not reduce the number of road miles, limit the effects of cross-country motorized travel, or expand opportunities for non-motorized use.

There are six primary reasons why I did not select Alternative B. First, I do not believe that Alternative B is aggressive enough in treating fuels within this wildland-urban interface. It leaves too many trees on the landscape and does not adequately reduce the risk of catastrophic wildfire. Second, its focus on limiting tree removal to those smaller in size than 9-inch diameter is neither warranted nor prudent. Third, this alternative does not meet Forest Plan direction for producing forest products on lands that are capable of producing these products. Fourth, Alternative B is very costly with little to no offsetting revenues. It requires the most funds to accomplish the stated objectives and there is a strong likelihood that adequate funding would not be available. Fifth, it includes too many acres of high risk prescribed burning within an area surrounded by houses and other development. Lastly, I believe it is too radical of a shift in travel management direction for this particular project area at this time. Restricting all motorized use to “designated routes only” would be a major change in the way that the Black Hills National Forest is managed. I believe if such a change were to be implemented, it should be done as part of a Forest-wide approach and not on a project area basis.

I did not select Alternative D for two primary reasons. It does not adequately reduce the potential for catastrophic wildfire, and it does not adequately address the need for travel management

changes in this area. Specifically, Alternative D does not provide a broad landscape approach to vegetation treatment. The treatments prescribed are better at cleaning up fuels than past timber management practices, but does not go far enough in reducing biomass and fuel continuity. Alternative D also proposes the same basic travel management approach that has been shown to be ineffective and is unresponsive to public demands for more non-motorized recreation opportunities.

Public Involvement

Scoping comments on the proposed action, potential concerns, and opportunities for managing the Prairie Project Area were solicited from adjacent property owners, tribal representatives, other members of the public, other public agencies, organizations and Forest Service specialists. Various methods were used to request comments on the proposed project, including:

- A scoping letter was mailed to approximately 1,400 interested parties, including adjacent property owners and tribal representatives on July 2, 2002. This letter included a description of the project area, an overview of the NEPA process, a general explanation of the proposed actions, and an invitation to comment.
- The Notice of Intent (NOI) to prepare an EIS was published in the *Federal Register* on Friday July 12, 2002. The NOI asked for public comment on the proposal through August 19, 2002.
- A prominent article was published in the Rapid City Journal on July 13, 2002. This article introduced the project to the public readership by providing a description of the project area and an explanation of the proposal as well as soliciting comments on the project.
- Two Open Houses were held. The first occurred on July 25, 2002 at the Johnson Siding Community Club; over 200 people attended. The second occurred on July 30, 2002 at the Whispering Pines Volunteer Fire Department; approximately 50 people attended. At both events, presentations were made describing the proposal, questions were asked and answered, and public comments specific to proposed activities were solicited and accepted.
- A Revised NOI was published in the *Federal Register* on May 16, 2003, identifying changes made to the proposed action since the original NOI was published. Adjustments were made largely in response to overwhelming public feedback asking the agency to be more aggressive in minimizing the potential for catastrophic wildfire by expanding proposed fuels reduction and vegetation treatments.
- Other information sharing, communication and interaction with interested parties, agencies and individuals has occurred on a continuing basis during the project planning period.
- A Notice of Availability (NOA) for the Prairie Draft EIS was published in the *Federal Register* on June 13, 2003. This initiated the official public comment period on the Draft EIS, which ended July 28, 2003.
- There was significant participation by the public during the Draft EIS comment period. Two public meetings were held locally to provide information and answer questions regarding the DEIS. Approximately 200 people attended the meeting at Johnson Siding

VFD on July 25, 2003 and about 45 people attended the meeting at Whispering Pines VFD on July 30, 2003.

- Eighty-one (81) individuals, groups or agencies submitted comment letters on the Draft EIS. All public input received on the DEIS was evaluated using a content analysis process. Over 400 comments were identified and responded to by the Prairie Interdisciplinary Team. These comments and associated responses are located in Appendix A of the Final EIS. No public comments on the Draft EIS generated the need for reanalysis or required major substantive changes in the document.

The Environmentally Preferred Alternative(s)

Disclosure of one or more environmentally preferable alternatives is required [Section 101 NEPA; 40 CFR 1505.2(b)]. The environmentally preferable alternative is not necessarily the alternative that will be implemented and it does not have to meet the underlying need for the project. It does, however, have to cause the least damage to the biological and physical environment and best protect, preserve, and enhance historical, cultural and natural resources.

In the case of the Prairie Project, I have determined that there could be two environmentally preferred alternatives depending on which perspective one takes. From a short-term, non-disturbance perspective, the No Action Alternative (Alternative A) meets many of the criteria for being environmentally preferred. In the short term, Alternative A has the lowest risk of contributing to additional soil erosion, maintains the highest number of snags for wildlife, provides the most habitat for sensitive species, and has the least risk of damaging cultural resources or potentially affecting water quality. However, it risks significant long-term negative effects from large scale catastrophic wildfires that are likely within this area. Thus, Alternative C-Modified is considered as the environmentally preferred alternative. Although activities do generate short-term disturbance related to vegetation management impacts to soil, air, water, scenic and heritage resources, it reduces significant long-term environmental risks. Effects from the proposed activities are mitigated to an acceptable level. The actions implemented in Alternative C-Modified are responsive to recent national policy and initiatives.

Mitigation

Mitigation measures are management actions implemented on a site-specific basis to reduce the adverse impacts of vegetation treatment, activities like roadwork and other actions associated with the Selected Action. Mitigation measures will be applied to project design, layout, and implementation including project contracts and/or permits. The mitigation measures from Appendix B of the DEIS are incorporated into this Record of Decision. Additional mitigation measures are specified in the FEIS in the listing of Errata Changes to the DEIS.

Monitoring

The monitoring activities described in Appendix C of the DEIS will be implemented as funding allows. Activities and their effects, including effectiveness of mitigation measures, will be monitored during and following project completion. This decision makes no changes to the referenced monitoring activities.

Legal Requirements, Regulation, and Policy

Another aspect of the process for selecting an alternative is ensuring that the decision actions comply with all legal requirements and policy. The Selected Action meets the following legal requirements.

Federal Laws

The National Historic Preservation Act of 1966, as amended: All surveyed and inventoried cultural sites considered eligible or potentially eligible for the National Register of Historic Places will be buffered and avoided during resource management activities. New sites discovered during operations will be protected. Any identified Traditional Cultural Properties and sacred areas will be protected. Reference is made to the consultation with the South Dakota State Historical Preservation Officer (SHPO) under State Laws section below.

The National Environmental Policy Act (NEPA), 1969: NEPA establishes the format and content requirements of environmental analysis and documentation. The process of preparing the Prairie Project EIS and ROD was completed in accordance with NEPA.

The Endangered Species Act, 1973: A Biological Assessment and a Biological Evaluation have been prepared to document possible effects of any activities on endangered, threatened, proposed or sensitive species in the Prairie Project Area. A determination was made that planned activities will have “No Effect” on the bald eagle and therefore no formal consultation with the USFWS is required. The USFWS concurred via informal consultation with this determination.

The National Forest Management Act (NFMA) 1976, which amends the Forest and Rangeland Renewable Resources Act (RPA) of 1974: All alternatives were developed to be in full compliance and consistent with NFMA as summarized below.

The regulations at 36 CFR 219.10(e) require me to ensure permits, contracts cooperative agreements, and other activities carried out on the Black Hills National Forest are consistent with the Forest Plan. Accordingly, I have reviewed the components of my decision against Forest Plan direction, and find they are consistent.

My decision is consistent with the Forest Plan in that:

- Planned activities are consistent with management area direction with incorporation of Forest Plan Amendment #3.
- Planned activities will contribute to Forest Plan Goals and Objectives.
- Planned activities comply with Forest Plan Standards and Guidelines with incorporation of Forest Plan Amendment #3.
- Planned activities meet resource protection and other management requirements of 36 CFR 219.16 and 36 CFR 219.27 (DEIS Vegetation section, page 75; DEIS Appendix D; Prairie Project file).
 - Adequately restocking lands within five years is assured.

- No timber harvesting will occur on lands not suited for timber production except to meet other resource objectives.
- Individual cutting units, patches, strips or other created openings are less than 40 acres.
- Clearcutting has been determined to be the optimum method to meet objectives of the Forest Plan where it is prescribed.
- Culmination of Mean Annual Increment (CMAI) requirements are met.

The Clean Air Act Amendments, 1977: The Selected Action will be implemented to meet the National Ambient Air Quality standards through avoidance of practices that degrade air quality below health and visibility standards.

The Clean Water Act, 1982: The Selected Action will meet and conform to the Clean Water Act as amended in 1982. This act establishes a non-degradation policy for all federally proposed projects. The Selected Action is not likely to degrade water quality below standards set by the State of South Dakota. This will be accomplished through planning, application, and monitoring of Best Management Practices and other mitigations measures and design criteria of project activities.

State Laws

South Dakota State Best Management Practices (BMPs): Site-specific BMPs have been designed to protect beneficial uses. See DEIS, Appendix B: Design Criteria and Mitigation Measures.

Consultation with the South Dakota State Historic Preservation Officer (SHPO): The SHPO has been consulted concerning the proposed activities in the Prairie Project Area. The SHPO concurred with our determination of “No Historic Properties Affected” in a letter dated December 18, 2002. The Advisory Council on Historic Preservation (ACHP) will be consulted about measures to protect significant archeological sites from adverse affects, should any be identified.

Other Policy or Guiding Documentation

Forest Plan Direction

The 1997 Black Hills National Forest Land and Resource Management Plan (Forest Plan) supported by its Final Environmental Impact Statement (FEIS), is the Forest programmatic document required by the rules implementing the Forest and Rangeland Renewable Resources Act of 1974 (RPA), as amended by the National Forest Management Act of 1976 (NFMA). The Forest Plan was amended by the Phase I Forest Plan Amendment (Decision Notice dated May 18, 2001). This amendment provides revised and new Standards and Guidelines, as well as additional protection measures applicable to a number of plant and wildlife species on the Black Hills National Forest. The Black Hills National Forest is currently in the process of amending the Forest Plan, referred to as Phase II.

This decision to implement the numerous actions that comprise Alternative C as modified is consistent with the intent of the Forest Plan's long-term goals and objectives (DEIS, pages 5-10). The project was designed in conformance with Forest Plan standards and incorporates appropriate

Forest Plan guidelines. It should be noted that the Forest Plan Amendment section below discusses the need for an amendment related to certain actions. Alternative C as modified also responds to multiple National level initiatives and policy (DEIS page 6) regarding reduction of fuels and fire hazard in areas like the Prairie Project Area.

Lawsuit Settlement--Veteran Salvage Timber Sale

A lawsuit challenging the implementation of the Veteran Salvage Timber Sale in the Forbes Gulch area of Beaver Park Roadless Area was filed against the Forest Service in November 1999. This legal action was based on certain deficiencies concerning species viability and other issues identified in the October 12, 1999 Appeal Decision regarding the 1997 Revised Forest Plan by the Reviewing Officer for the Chief of the Forest Service. Settlement negotiations were begun in November 1999 and completed in September 2000. Several Forest timber sale project analyses completed prior to October 1999 were included in the scope of the Settlement Agreement. This included one project (Joker Project), which lies partially within the northwestern portion of the Prairie Project Area - specifically west of Highway 385 in the Deer Creek drainage. Conditions in the Settlement Agreement limit my authority to implement any vegetative treatment or other earth disturbing activity within this area pending completion of the Forest Plan Phase II Amendment process.

Timber Sale Contracts

Portions of three commercial timber sales currently are active within the Prairie Project Area. They include the Bald Hills Timber Sale, Buffalo Timber Sale and the Bullock Timber Sale. These projects were implemented under the authority of previous NEPA decisions. It is important to recognize the legal obligations and limitations of the Forest Service under these contracts administered under the authority of the Forest Timber Contracting Officer.

Forest Plan Amendment

There is a need to amend the Forest Plan regarding certain site-specific actions. I have determined that an amendment to the 1997 Revised Forest Plan, as amended, is needed and appropriate as part of my decision to implement Alternative C-Modified. The amendment applies to the items listed and described in the Decision section of this document under the heading Forest Plan Amendment. This amendment applies only to site-specific locations within the Prairie Project area as described. This amendment is Amendment #3 to the Revised Forest Plan.

As discussed in the Decision Rationale Section of this ROD, the reason for the amendment is to allow for implementation of vegetation treatment to achieve fuel and fire hazard reduction objectives to the fullest and to provide a reasonable mix of travel and recreation use opportunities. There are three specific changes needed with this project. Two are related to vegetation treatment in MA 3.7 and thermal cover. These are one-time-only changes. The third change regarding adjustment of a travel restriction boundary in MA 3.7 will regulate off-road motorized use of a specific area until further Forest travel management planning and implementation occurs. I acknowledge the effects to MA 3.7 regarding the need for some vegetation treatment in late successional landscapes; to MA 3.7 relative to the need for a more common sense, easy to

understand approach to travel and recreation use boundaries; and to thermal cover as a result of the need to thin some of these sites to achieve fuel and fire hazard reduction objectives.

I have determined that Revised Forest Plan Amendment #3 is not significant in terms of the National Forest Management Act (NFMA) and its associated implementing regulations at 36 CFR 219.10(f). In accordance with Forest Service policy at FSH 1909.12, Section 5, I have determined that the actions allowed by this amendment will take place within the next few years, and that the affected area is limited to specific locations in the Prairie Project area. The area involved is less than 0.1% of the total area of the Black Hills National Forest. Further, I have determined that there is no effect on the long-term relationship of goods and services projected by the Forest Plan; that this change is only for specific situations; and that this amendment does not substantially change desired land conditions. Public disclosure of the need for and description of the components of the amendment was made during the DEIS comment period. Documentation of the NFMA significance review of amendment components is contained in the project file.

Implementation

Implementation of activities under the selected action will occur under the authority of this Record of Decision, subject to the appropriate appeal and implementation procedures cited below. Acreages and locations are approximate and may vary slightly during implementation depending on site specific conditions.

Pursuant to regulations at 36 CFR 215.9(a), when no appeal is filed within the 45-day time period, implementation of the decision may begin on, but not before, the 5th business day following the close of the appeal-filing period. When an appeal is filed, implementation may occur on, but not before, the 15th business day following the date of appeal disposition (36 CFR 215.9(b)).

Administrative Review or Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR Part 215 (June 2003). A written appeal must be submitted within 45 days following the publication date of the legal notice of this decision in the Rapid City Journal, Rapid City, South Dakota. It is the responsibility of the appellant to ensure their appeal is received in a timely manner. The publication date of the legal notice of the decision in the newspaper of record is the *exclusive* means for calculating the time to file an appeal. Appellants should not rely on date or timeframe information provided by any other source.

Paper appeals must be submitted to:

USDA, Forest Service, Region 2
Attn: Appeal Deciding Officer
PO Box 25127
Lakewood, Colorado 80225

Electronic appeals must be submitted to: appeals-rocky-mountain-regional-office@fs.fed.us

In electronic appeals, the subject line should contain the name of the project being appealed. An automated response will confirm your electronic appeal has been received. Electronic appeals must be submitted in MS Word, Word Perfect, or Rich Text Format (RTF).

It is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why my decision should be reversed. The appeal must be filed with the Appeal Deciding Officer in writing. At a minimum, the appeal must meet the content requirements of 36 CFR 215.14, and include the following information:

- The appellant's name and address, with a telephone number, if available;
- A signature, or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
- When multiple names are listed on an appeal, identification of the lead appellant and verification of the identity of the lead appellant upon request;
- The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;
- The regulation under which the appeal is being filed, when there is an option to appeal under either 36 CFR 215 or 36 CFR 251, subpart C;
- Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
- Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
- Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and
- How the appellant believes the decision specifically violates law, regulation, or policy.

Contact Person

For additional information concerning this decision or the Forest Service appeal process, contact Robert J. Thompson, District Ranger, Mystic Ranger District, 803 Soo San Drive, Rapid City, SD 57702 or Ed Fischer, Environmental Coordinator, Black Hills National Forest, 25041 N. Hwy 16, Custer, SD 57730.

/s/ Brad Exton (for)

10/31/2003

JOHN C. TWISS
Forest Supervisor
Black Hills National Forest
USDA Forest Service

Date